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March 14, 2016

Via e-mail: dea_orders@njd.uscourts.gov(ce3)

Honorable Magistrate Judge Douglas E. Arpert

United States Magistrate Judge

District of New Jersey

Clarkson S. Fisher Federal Building

& U.S. Courthouse

402 East State Street

Trenton, New Jersey 08608

Re: Fenwick, et al. v. Ranbaxy, et al.
Case No.: 12-CV-07354-PGS-DEA
Our File No.: 170.187

Dear Honorable Magistrate Judge Arpert:

Our law firm represents the plaintiffs in the captioned class action case. The parties could not agree on the content of a letter to the Court and the defendants did not want to submit a joint letter that stated the positions of both sides. Therefore, the parties are submitting separate letters.

There was an Initial Conference scheduled for November 17, 2015 before Your Honor. That day, counsel appeared and informed Your Honor that the defendants had recently asked for a settlement demand and that the plaintiff was going to work with a consultant/expert on the settlement demand. The Court entered an order staying and administratively terminating this matter from the Court's docket. Your Honor advised counsel that the case could be reinstated if the parties do not reach a settlement.

We provided a four page settlement demand letter to the defendants, which explained the research and analysis that went into the preparation of the settlement demand. The defendants did not make a settlement offer and decided that the demand did not warrant further discussions. The plaintiffs were surprised and disagreed with the defendants' position.

The parties agree that the case should be reinstated now. The plaintiffs want the Court to schedule a Rule 16 Initial Conference because the one scheduled for November 17th did not actually address discovery issues. The defendants were initially against a conference being held but may have changed their position.

Attached is the Joint Discovery Plan that the parties prepared for submission to Your Honor. There are some areas of disagreement, which the plaintiffs want to address at a Rule 16 Initial Conference.

If you have any questions or need any other information about the case, please advise us.

Respectfully yours,

GAINEY & McKENNA

Barry J. Gainey

BJG/dxg
Encl.

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